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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK, AS TRUSTEE  
FOR THE CERTIFICATEHOLDERS OF  
CWALT INC., ALTERNATIVE LOAN TRUST  
2005-46CB. MORTGAGE PASS-THROUGH  
CERTIFICATES, SERIES 2005-46CB, a national  
bank,

Plaintiff,

vs.

TIERRA DE LAS PALMAS OWNERS  
ASSOCIATION, a Nevada non-profit corporation;  
PRARIE FLOWER HOLDINGS, LLC, a Nevada  
limited liability company; VOULZWASBECK  
MENDIOLA, an individual; and MICHELLE B.  
SMITH, an individual,

Defendants.

CASE NO.: 2:17-cv-01989-MMD-GWF

STIPULATION AND ORDER TO  
SET ASIDE DEFAULT AND  
EXTEND TIME TO RESPOND  
**(First Request)**

IT IS HEREBY STIPULATED BY AND BETWEEN counsel for Plaintiff, THE BANK OF  
NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF CWALT INC., ALTERNATIVE LOAN TRUST 2005-46CB.  
MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-46CB, a national bank ("BNY"),  
and counsel for Defendant, TIERRA DE LAS PALMAS OWNERS ASSOCIATION ("TDLP"), that

1 the Clerk's Entry of Default (ECF No. 17) entered in this matter on September 25, 2017, against  
2 TDLP, be set aside; and

3 IT IS FURTHER STIPULATED that TDLP may have ten (10) days from the date of entry of  
4 this stipulation in which to answer BNY's Complaint on file herein.  
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6 DATED this 2nd day of February, 2018.

DATED this 5th day of February, 2018.

7 PENGILLY LAW FIRM

ZIEVE, BRODNAX & STEELE, LLP

8 /s/ Elizabeth Lowell

/s/ Stephen Dolembro

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*Counsel for Tierra De Las Palmas*

*Counsel for Plaintiff*

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14 **ORDER**

15 IT IS SO ORDERED this 5th day of February, 2018.

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19 **UNITED STATES DISTRICT COURT JUDGE**  
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